

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A36-13667

Date Received: 10/13/1989

Receipt No: S010225

Received By: B.V.N.

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FLORENCE W. KAY 208-678-8465
Address: RT. 2 BOX 2594
HEYBURN, ID 83336

2. Date of Priority: OCT 15, 1980

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
10S	23E	16	SW	SW	NE	25	MINIDOKA

5. Description of diverting works:
WELL AND 1½ HP PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	03/01	10/01	0.020		

7. Total Quantity Appropriated is:
0.020 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSE & LAWN

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
10S	23E	16	SW	NE	25	DOMEST	

11. Place of use in counties: MINIDOKA

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Identification No. A36-13667
Date Received mailed 10/12/89
Receipt Number 5010225

RECEIVED

OCT 18 1989

NOTICE OF CLAIM
TO A
WATER RIGHT

ACQUIRED UNDER STATE LAW

Department of Water Resources
Southern Region Office

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day.

RECEIVED

OCT 13 1989

Department of Water Resources
Southern Region Office

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) FLORENCE W. KAY Phone (208) 678-8465
Mailing Address Rt #2 Box 2594 HEYBURN, ID Zip 833362. Date of Priority (Only one per claim) 10-15-1980 Month/Day/Year3. Source of water supply (Check one) () Groundwater or Other (X) (a) SNAKE RIVER
which is tributary to (b) _____
Name or kind of source4. Location of point of diversion is: Township 10 S Range 23 E B.M.
Section 16, SW 1/4 of SW 1/4 of NE 1/4, Govt. Lot 25, B.M.,
County of MINIDOKA

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. 1 1/2" H.P. 2" INCH LINE TO SPRINKLER LINE
TO IRRIGATE LAWN & GARDEN .3 ACRE

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For DOMESTIC IRRIGATION purposes from 3/1 to 10/1 amount 0.02 (cfs)
(Both dates are inclusive)

For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed 0.02 (cfs)8. Total consumptive use claimed is de minimus9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) DOMESTIC - ONE HOUSEHOLD - LAWN & GARDENMICROFILMED
FEB 15 1990

10. Place of use is: Township: 10 S Range 23 E BM
Section 16, SW 1/4 of NE 1/4, Govt. Lot 25, B.M.,
County of MINIDOKA for (Circle One) Domestic Stock Domestic and Stock

Additional places of use, if any _____

11. In which county (ies) are lands listed above as place of use located? MINIDOKA

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

14. Remarks: _____

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understood the form entitled "How you will receive notice in the Snake River Basin Adjudication". (b.) I/We do _____ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of Attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Florence W. Kay Date 10-11-1989

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

of _____, that I have signed the foregoing

document in the space below as _____ of _____

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____

Title and Organization _____

State of Idaho/or _____)
County of Minidoka) SS.

Subscribed and sworn (or affirmed) before me this 17th day of October 19 89

SEAL

Notary Public Larry C Burbank

Residing at Rupert, Idaho

My Commission Expires 1-4-1994

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

OCT 16 1989

R. KEITH HIGGINSON
Director

Flossie Key
Rt. 2 Box 2594
Heyburn, Idaho 83336

RE: SRBA Claim

Dear Claimant:

Please find enclosed your claim and your check # 917 for \$ 25.00 which you submitted to our office. I am returning these pursuant to Rule 10,4 of the Department's Adjudications Rules and Regulations. In checking your claim it appears that the following items need clarification:

- ☒ Item #2 Priority (Month/Day/Year) when water first used
- ☐ Item #4 Point of Diversion Legal Description
- ☒ Item #6 Uses descriptions
- ☒ Item #9 Description of Non-irrigation Uses
- ☐ Item #10 Place of Use Legal Description
- ☒ Item #16 Signature & Notorization
- ☐ Improper fee (THE CORRECT FEE IS \$ _____)
- ☐ Other or Remarks

This claim is only good for Domestic & Stockwater purposes. However, Domestic definition includes irrigation of up to 1/2 acre of lawn if associated with household. Please clarify.

~~If you wish to continue to press your claim please find enclosed instructions and another claim form to use.~~ If you will make the necessary corrections and return your claim with the correct fee and a copy of this letter within 30 DAYS of the date of this letter, your filing will be considered timely and will not be assessed an additional \$50.00 late fee.

Sincerely,


Allen Merritt, P.E.
Water Rights Supervisor

ADM:adm
Enclosures:

RECEIVED
FEB 10 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

• Oct. 26, 1989

Re: A36-13667

. FLORENCE W KAY
. RT 2 BOX 2594
. HEYBURN ID 83336

Dear Claimant(s):

Please find enclosed your receipt and a copy of a computer generated claim based on the information from your original claim(s) which has been entered in our computer records.

Please review the computer generated claim for accuracy. In a few instances clarifications may have been added by the Department at the time of data entry. If you have any questions or objections regarding the computer record of you claim(s), please contact this office.

Yours truly,

A handwritten signature in cursive script, appearing to read 'Judy'.

Judy Givens
Adjudication Secretary

/jg

Enclosures:

MAILED
FEB 16 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

10-Jan-1992 08:56

Ms. Florence W. Kay
Rt 2 Box 2594
Heyburn ID 83336

Re: Claim #A36-13667

Dear Ms. Kay:

I have made an error in accepting and entering your claim for a water right in the Snake River Adjudication Program.

Any water use from the Snake River that was started after 1971 is required by law to be processed by filing an application for a permit, which will then be processed to become a license - if no objections are received after it is advertised. Your adjudication claim states that this water was first used in 1980. As it presently stands this claim will be disallowed, but can be withdrawn and you can request that your \$25.00 fee be refunded. I have included a form to do this. I have also included a form (with instructions) so that you can make an application for a permit to cover this water use. Please refer to the "proof copy" of your claim which I have included to assist you in completing your application for a permit.

Please feel free to contact our office if you need further information.

Respectfully,

A handwritten signature in cursive script that reads 'Robert V. Worstell'.

Robert V. Worstell
Sr. Adjudication Agent

RVW/jr
Enclosures:

MICROFILMED
FEB 16 1992

for.
Claim 36-13667

Claim was verified. Request to withdraw
and refund fees to be used for an application
for permit was denied.

Claim is still valid. I recommend that
A36-13667 stand as is. (Dom. use from G.W.)

KKC

2-19-92

MICROFILMED
FEB 16 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

February 6, 1992

Florence W. Kay
Rt. 2, Box 2594
Heyburn, ID 83336

RE: Snake River Basin Adjudication (SRBA)
Minidoka County - #A36-13667 - Receipt #S010225

Dear Ms. Kay:

Thank you for your letter advising us of your withdrawal of the claim referenced above and your request to receive a refund of the \$25.00 filing fee submitted for this claim.

The claim filing fee was for the purpose of investigating and processing it for a report to the court. Your claim was investigated by an agent of this Department in 1991 and was being processed along with nearly 6,000 other claims for a report to the court later this year. Your request to have the fee refunded must be denied. For the application you have filed for the Snake River water, you must send \$25.00 for the balance of that fee promptly to the Twin Falls office at 222 Shoshone Street East, Twin Falls, ID 83302.

I appreciate your concern in this matter. If you have any further questions, I would like you to contact me.

Thank you,

A handwritten signature in black ink, appearing to read 'Donald V. Shaff'.

Donald V. Shaff
Manager, Adjudication Section

DVS:sf:ref
cc: Kelly Christensen

MICROFILMED
FEB 16 1992

REFUND REQUEST

TO: S. Frazee to Log In
FOR: J. Carlson/D. Shaff/D. Allen
FROM: SOUTHERN

DATE: 1-23-92

RECEIVED

RE: Payor KAY, FLOSSIE
Address RT 2 Box 2594
Heyburn ID
83336

JAN 24 1992

Department of Water Resources

Claimant if NOT Payor ~~AKA~~ FORENCE W. KAY

Refund Amount \$ 25.00

Claim Location SOUTHERN

Extension Filed? Y/N NA

Copy Attached? Y/N NA

Late Fees Paid? Y/N NA

On Receipt # 5010225

S.O. Verified Ext. by n/a on sf

Refund Generated By () Agent (X) Claimant

Refund Category WITHDRAWAL

Date of Last Correspondence (copy attached) OFFICE VISET

1-23-92

Claim No.	Use	Fees Paid	Correct Fee	Rec't #
<u>A36-13667</u>	<u>DOMESTIC</u>	<u>25.00</u>		<u>010225</u>

Detailed Reason(s) for Refund Attached Y/N Y/N

Applicant thought they were filing an application for permit at the time the claim was filed. They wish to withdraw claim and apply for the application for permit.

Region Adj. Supervisor Approval John Carlson Approval

Don Shaff Approval 20592 Hold To Fiscal

Not Refunded as of 01-24-92 of 01-24-92

Data Base Modified? Y/N NA By sf Date 01-24-92

Refund should not be approved.

DBS

Even though some deferrable D&S claims have been withdrawn and the fees refunded well after the mass mailing notifying claimants of the deferral option I do not think a refund for a deferrable claim is appropriate after the claim has been investigated.

DBS

DENIED 2-5-92

12/30/91

From: : DWR60::CHRISTENSEN 24-JAN-1992 14:51:39.38
To: : DWR03::SHAFF
CC:
Subj: RE: FLOSSIE KAY REFUND

From: DWR03::SHAFF 24-JAN-1992 14:21:51.04
To: DWR60::CHRISTENSEN
CC: SHAFF
Subj: FLOSSIE KAY REFUND

Hi Kelly,

This one is sticky. The contractor has verified the claim represented a valid water right. Did Mrs. Kay file the appl. because nothing was developed, or to add uses to the already existing domestic use? Let me know what you know. Thanx
MRS KAY REALLY DIDN'T UNDERSTAND WHAT SHE WAS DOING. SHE THOUGHT THAT SHE WAS FILING AN APPLICATION FOR A PERMIT WHEN THE ADJUDICATION CLAIM WAS FILED. IT WAS NOT HER INTENTION TO FILE THE ADJUCICATION CLAIM. WHAT SHE SAID THAT SHE WANTED WAS THE RIGHT TO IRRIGATE HER YARD FROM A PUMP IN THE SNAKE RIVER. THEREFORE I TOOK AN APPLICATION FOR PERMIT FOR IRRIGATION. THEY JUST STARTED IRRIGATING FROM THE SNAKE RIVER WITHIN THE LAST YEAR OR TWO. SHE ALSO COMPLETED AN APPLICATION TO LEASE WATER FROM THE WATER BANK AS THE USE IS ABOVE MILNER DAM. SHE HAD RECEIVED A NOTICE FROM EASTERN THAT THEIR PUMP ON THE SNAKE RIVER REPRESENTED AN ILLEGAL DIVERSION.

THAT SHOULD COVER WHAT I KNOW, HOPEFULLY THAT WILL HELP YOU OUT.

MICROFILMED
FEB 16 1993

FROM *K. CHRISTENSEN*

RECEIVED

DATE *1-23-92*TO *DON SHAFF*

JAN 24 1992

SUBJECT *REFUND REQ.*

Department of Water Resources

Attached is the withdrawn reg. and the Refund Request for claim 36-13667. The refund is to be applied to fees due for an application for permit filed this date. the balance for the application was received on # 5014087.

MICROFILMED
FEB 16 1993*Kelly K. Christensen*
SIGNATURE

REQUEST FOR WITHDRAWAL OF CLAIM

Form 25a

Name of Claimant: FLORENCE W. KAY
 (Please Print)
 Mailing Address: Rt #2 Box 2594 HEYBURN, ID 83336
 Amount: \$25⁰⁰ Receipt No.: 10225
 County of Water Right: MINIDOKA
 Claim No(s): A36-13667

I wish to withdraw the Notice(s) of Claim to a Water Right which number(s) appear above and for which I previously paid a filing fee to the Idaho Department of Water Resources. I do ___/do not ___ request a refund of the filing fee. If a refund is requested I have attached an explanation of the justification for granting a refund.

<u>Florence W. Kay</u> (Signature of Claimant)	<u>1-23-92</u> (Date)
_____ (Signature of Claimant)	_____ (Date)
_____ (Signature of Claimant)	_____ (Date)

Return to:

Idaho Department of Water Resources
 Adjudication Section
 222 Shoshone St. East
 Twin Falls, ID 83301

RECEIVED

JAN 24 1992

Department of Water Resources

For IDWR Use

	Initials	Date
Approval Region	_____	_____
Approval State Office	_____	_____
Data Entry	_____	_____
Claim File	_____	_____

MICROFILMED
 FEB 16 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

February 6, 1992

RECEIVED

FEB 19 1992

Department of Water Resources
Southern Region Office

Florence W. Kay
Rt. 2, Box 2594
Heyburn, ID 83336

RE: Snake River Basin Adjudication (SRBA)
Minidoka County - #A36-13667 - Receipt #S010225

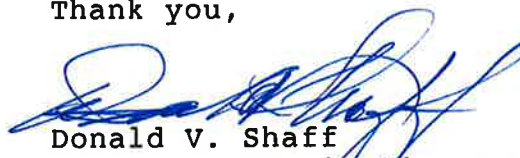
Dear Ms. Kay:

Thank you for your letter advising us of your withdrawal of the claim referenced above and your request to receive a refund of the \$25.00 filing fee submitted for this claim.

The claim filing fee was for the purpose of investigating and processing it for a report to the court. Your claim was investigated by an agent of this Department in 1991 and was being processed along with nearly 6,000 other claims for a report to the court later this year. Your request to have the fee refunded must be denied. For the application you have filed for the Snake River water, you must send \$25.00 for the balance of that fee promptly to the Twin Falls office at 222 Shoshone Street East, Twin Falls, ID 83302.

I appreciate your concern in this matter. If you have any further questions, I would like you to contact me.

Thank you,


Donald V. Shaff
Manager, Adjudication Section

DVS:sf:ref
cc: Kelly Christensen

RECORDED
FEB 16 1992

